

REMARKS

Claims 1-24 are pending in the application. Claims 1, 7, 13, and 19 are the only independent claims. Claims 1, 7, 13, and 19 have been amended. Favorable reconsideration is respectfully requested.

Claims 1, 3, 7, 9, 13, 15, 19 and 21 were rejected under 35 U.S.C. § 102(b) over Kenji. (JP 2002-049711). Claims 2, 4-6, 8, 10-12, 14, 16-18, 20 and 22-24 were rejected under 35 U.S.C. § 103 over Kenji in view of Ushiki (EP 1355473). Applicants submit that the amended independent claims are patentable over the cited art for at least the following reasons.

First, the Examiner apparently relied upon a machine-generated English translation of Kenji, which was included with the Office Action. It is requested that the Examiner list the English translation in a PTO-892 form with the next action to make it clear that the translation was considered. The original JP publication of Kenji was made of record by Applicants in an Information Disclosure Statement with an English abstract.

Amended independent claim 1 includes “a storage server for storing a message of video and/or image contents, alone or along with audio contents, sent from said information terminal to said network in response to the video and/or audio data that has been distributed to the information terminal from said distribution server while said information terminal is connected to said network.” According to amended independent claim 1, a message of video and/or image contents, which may be accompanied by audio contents, is sent, for example by a remote attendee using the information terminal, in response to video and/or audio data that has been transmitted to the information terminal. This message is stored at a storage server. This limitation is not disclosed by Kenji.

Kenji relates to a system that allows a person to remotely attend a ceremony, such as a wedding, and send a text or voice message from the terminal at which the ceremony is remotely viewed. See, e.g., [0012], [0019]. However, Kenji does not teach the remote attendee being able to send an video and/or image contents in response to viewing the video of the ceremony. In Kenji only text and/or audio is sent in response to the remote attendee viewing the video of the ceremony.

Kenji mentions that an image of the remote attendee can be displayed at the site of the ceremony. But this image is a photograph of the remote attendee that has been stored *beforehand* in a database at the host computer 3. Such photo may be displayed, by the host computer 3, in correspondence to receipt of the message from the remote attendee. See, e.g., [0022]. However, in Kenji this photo is not sent by the terminal of the remote attendee, still less in response to the remote attendee's terminal having received video and/or audio.

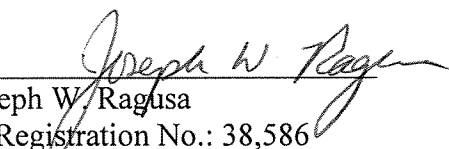
For at least the foregoing reasons, amended claim 1 is believed clearly patentable over Kenji. Amended independent claims 7, 13 and 19 recite similar features and are believed patentable for substantially similar reasons. Ushika is not believed to remedy the abovementioned deficiencies of Kenji as a reference against the amended independent claims.

The other claims depend from one or another of the independent claims discussed above and are therefore allowable for at least the reasons discussed above. In view of the above, Applicants believes the pending application is in condition for allowance.

Dated: November 6, 2008

Respectfully submitted,

By


Joseph W. Ragusa

Registration No.: 38,586

DICKSTEIN SHAPIRO LLP

1177 Avenue of the Americas

New York, New York 10036-2714

(212) 277-6500

Attorney for Applicant